

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KEITH D. SEWELL,
Plaintiff,

v.

1:04-cv-85

UNITED STATES OF AMERICA,
Defendant,

PLAINTIFF'S SHOW CAUSE RESPONSE

Keith D. Sewell, the Plaintiff in this entitled action, comes now appearing pro-se, in response to a Show Cause Order issued on or about 11/8/2005 requesting that plaintiff show cause for failure to file a pre-trial statement.

Plaintiff states as follows:

1. That on or about July 14, 2005 this court ordered that the Plaintiff file a "pre-trial statement" consisting of a narrative written statement of the facts that will be offered by oral or documentary evidence at trial. Thereafter, the Plaintiff was advised that a deposition would be taken by the Defendant and was led to understand that the "deposition" would serve as a pre-trial statement of facts that would be presented to the court;
2. Plaintiff is not versed in law and procedure and had requested the assistance of an attorney for the purpose of preparing for a trial of these matters, in light of the evidence that the defendants can not contest that he is ^{not} entitled to the relief sought in his or-

iginal complaint and request for relief;

3. At the present time the only evidence the plaintiff intends on presenting is the record (medical) and the testimony of the doctors who treated the plaintiff and such other and further testimony by such other and further witnesses that a trained person would deem appropriate to support the contentions and complaints made by the plaintiff;

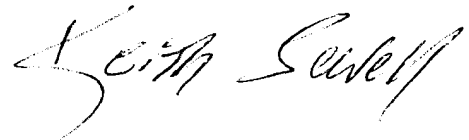
4. Based on plaintiff's inexperience with the Civil Procedure and his lack of knowledge in his ability to articulate the facts before the court, plaintiff states that it is incumbent upon the court to excuse any neglect on his part that was not intentional and was not designed to obstruct the orderly procedures of the court;

5. Plaintiff states that he has adequately presented the facts of his case in deposition taken by the defendants and that such other and further facts which he wishes to present would require the assistance of someone trained in the area of civil law and that in the interest of justice the court should order that counsel be assigned to assist the plaintiff to such degree that he may be adequately prepared to present his case to the court and will be capable of assisting the plaintiff in seeking discovery which will be necessary in the instant case.

WHEREFORE, plaintiff states that for good cause shown he should be allowed to proceed and that counsel should be assigned, in the interest of justice, to assist the plaintiff with any further pleadings.

Respectfully submitted

Dated: 11/10/05

A handwritten signature in dark ink, appearing to read "Keith Sevel", is written over the "Respectfully submitted" line.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the attached "Response to Order to Show Cause" has been forwarded to the United States District Court. Susan Paradise Baxter, Chief United States Magistrate Judge for the Western District of Pennsylvania and to the United States representative, the office of the United States Attorney, on this 10th day of November 2005. by placing copies of the same in the U.S. Mail and addressed to the parties individually with sufficient postage attached to cover the cost of mailing.

